

**UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

OTIS MAYS, )  
                  )  
Plaintiff,     )  
                  )  
v.               )     Case No. CIV-22-824-G  
                  )  
BUREAU OF PRISONS et al., )  
                  )  
Defendants.    )

**ORDER**

Plaintiff Otis Mays, a federal inmate appearing pro se, filed a Complaint (Doc. No. 1) alleging deprivations of his constitutional rights against multiple defendants. In accordance with 28 U.S.C. § 636(b)(1), the matter was referred to Magistrate Judge Shon T. Erwin for initial proceedings.

On January 25, 2024, Judge Erwin issued a Report and Recommendation (“R. & R.,” Doc. No. 33), recommending that the Complaint be dismissed without prejudice due to Plaintiff’s failure to state a claim upon which relief may be granted. *See id.* at 1-6 (citing 28 U.S.C. § 1915A(b)).

Plaintiff timely filed an Objection to the R. & R. *See* Doc. No. 34. Pursuant to controlling authority, the Court reviews de novo the portions of the R. & R. to which specific objections have been made. *See United States v. 2121 E. 30th St.*, 73 F.3d 1057, 1060 (10th Cir. 1996); 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b)(3).

Plaintiff’s Objection largely restates the factual allegations already presented in the Complaint and considered by Judge Erwin. *See* Pl.’s Obj. at 1-2. Nothing therein evinces

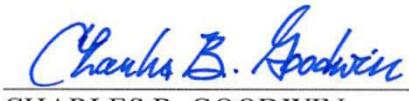
any error in Judge Erwin's findings or conclusions. Accordingly, Plaintiff's Objection is overruled.

#### CONCLUSION

For the foregoing reasons, the Report and Recommendation (Doc. No. 33) is ADOPTED in its entirety. The Complaint (Doc. No. 1) is DISMISSED without prejudice for failure to state a claim upon which relief may be granted.

A separate judgment shall be entered.

IT IS SO ORDERED this 11th day of April, 2024.

  
CHARLES B. GOODWIN  
United States District Judge